

UNITED STATES BANKRUPTCY COURT

DISTRICT OF VERMONT

IN RE:	)	
	)	
JOANNE T. GREENE	)	Case No. 10-10801 CAB
	)	<i>Chapter 7 Case</i>
Debtor.	)	

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**JOINT PRE-TRIAL STATEMENT BY TRUSTEE AND DEBTOR**

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**NOW COME** Raymond J. Obuchowski, Esq., Chapter 7 Trustee for the Bankruptcy Estate of Joanne T. Greene, by and through his counsel, Obuchowski & Emens-Butler, P.C. and Joanne T. Greene, Chapter 7 Debtor , by and through her attorney, John D. Toscano, Esq., and and hereby file this joint pre-trial statement as follows:.

- a) The correct case caption is noted above, In Re: Joanne T. Greene, Case No. 10-10801.
- b) The main case was filed on June 13, 2010.
- c) The undisputed material facts are set forth in the Joint Statement of Facts filed contemporaneously herewith.
- d) Disputed material fact: Whether the Debtor intended to procure a new homestead. (which may be proven directly or by inference).

- e) The contested legal issue is whether the Debtor, under the facts of this case, is entitled to an exemption of the promissory note as homestead proceeds pursuant to 11 U.S.C. Section 522(b) as incorporating either 27 V.S.A. §101 or 12 V.S.A. §3023.
- f) The parties anticipate no evidentiary issues or objections to submitted evidence at this time, other than Debtor's potential objection to any evidence which may be submitted relating to her residence in Florida. The parties reserve the right to supplement this response or present objections prior to or at trial.
- g) Trustee and the Debtor intend to call the Debtor to testify as to her Schedule preparation, assets, and residence from January 2009 through the date of filing. Trustee reserves the right to call Debtor's daughter for rebuttal testimony but do not anticipate utilizing her as a witness at this time.
- h) The parties have not yet assembled Exhibits, but they shall be exchanged, marked and copied prior to the hearing. A complete Exhibit list shall be filed within 3 days of the trial date.
- i) The trial hearing is expected to last 1 to 2 hours.
- j) There are no unique circumstances to be addressed.

DATED at Royalton, Vermont: Tuesday, February 22, 2011.

BANKRUPTCY ESTATE  
OF  
JOANNE T. GREENE

By: /s/ Raymond J. Obuchowski  
Raymond J. Obuchowski, Esq.  
Counsel to Chapter 7 Trustee  
Obuchowski & Emens-Butler  
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DATED at Bennington, Vermont: Tuesday, February 22, 2011.

JOANNE T. GREENE

A handwritten signature in blue ink that reads "John D. Toscano, Esq." in a cursive script.

By: /s/ John D. Toscano  
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